

Application No. 09/541,631 (Balkany) GAU 2172

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REMARKS

After this amendment, claims 1-5, 11, 12, and 16 will be pending. Claims 1, 3, 4, and 12 are proposed to be amended.

Applicant thanks the Examiner for the courtesies extended to the Applicant's representative on August 27, 2004 in a telephonic interview.

Applicant respectfully asserts that the Examiner's refusal to enter the amendment filed on June 11, 2004 was improper. In the Advisory Action dated August 8, 2004, the Examiner denied entry of the amendment because it raised new issues requiring further consideration and/or search. Applicant, however, believes that not further consideration or search would be required, that the amendment should be entered and a notice of allowance issued.

In particular, the amendment that the Applicant desired to make to claim 1, the only independent claim, would make the amended claim substantially the same scope as the originally filed claim 1. The last clause of amended claim 1 would be: "interior nodes are capable of storing one or more sequences of mutually-consecutive tuples distinctly from the other tuples." The last clause of the originally filed claim 1 reads: "interior nodes may store sequences of unique, mutually-consecutive tuples separately from the other tuples." As can be seen, the language of the proposed amendment to claim 1 would substantially bring the claim back to its original form and original scope. Thus, no new consideration or search is required because the Examiner already considered this claim scope in the original search conducted by the Examiner. The other claims that are proposed to be amended are dependent from claim 1 or claims that depend from claim 1. So, it follows that if claim 1 does not require further consideration or search, then neither do the depend claims.

Applicant believes that the claims are patentable over the prior art, as previously discussed with the Examiner.

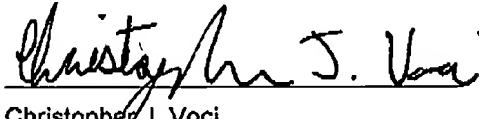
CONCLUSIONS

In view of Applicant's amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicant submits that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 593-9900.

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If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 50-1097 for any fee which may be due.

Date: 8/31/04

Christopher J. Voci
Registration No. 45,184
Dobrusin & Thennisch PC
401 S. Old Woodward Avenue,
Suite 311
Birmingham, MI 48009
248-593-9900
Customer No. 25,215